

1 THE HONORABLE JOHN C. COUGENOUR

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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ZANGO, INC.,

11 Plaintiff,

12 v.

13 KASPERSKY LAB, INC.,

14 Defendant.

No. C07-0807 JCC

DECLARATION OF STEVE FOGG

15 Steve Fogg states and declares as follows:

16 1. I am an attorney representing plaintiff Zango, Inc. ("Zango") in the above
17 captioned matter. I have personal knowledge of the matters stated herein and I am competent
18 to testify to these matters.

19 2. On Thursday, May 24, 2007 at approximately 8 p.m., I provided notice via
20 email to two executives of Kaspersky Lab, USA of Zango's intention to move for a temporary
21 restraining order in the ex parte department of King County Superior Court the following
22 afternoon, Friday, May 25.
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DECLARATION OF STEVE FOGG – 1

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 3. Defendant Kaspersky Lab, Inc. filed a Notice of Removal with this Court and
2 with King County Superior Court at approximately 2:51 p.m. on May 25.

3 I declare under penalty of perjury under the laws of the State of Washington that the
4 foregoing is true and correct.

5 DATED this 29th day of May, 2007 at Seattle, Washington.

6
7
8 
9 Steve Fogg

CERTIFICATE OF SERVICE

The undersigned declares as follows:

I am employed at Corr Cronin Michelson Baumgardner & Preece LLP, attorneys of record for Plaintiff Zango, Inc. herein.

I hereby certify that on May 29, 2007, I electronically filed the attached foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following persons:

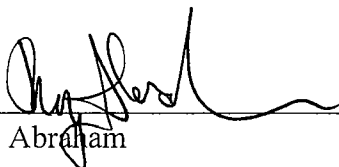
Bruce E.H. Johnson
Davis Wright Tremaine LLP
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101

and I hereby certify that I have delivered via U.S. Mail the document to the following non CM/ECF participants:

N/A

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 29 day of May, 2007, at Seattle, Washington.



Joyce Abraham

DECLARATION OF STEVE FOGG – 3

**CORR CRONIN MICHELSON
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